

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT : Holst, et al.
SERIAL NO : 10/055,259
FILED : October 26, 2001
TITLE : GLP-1 AS A DIAGNOSTIC TEST TO DETERMINE β -CELL
FUNCTION AND THE PRESENCE OF THE CONDITION OF IGT
AND TYPE-II DIABETES
Grp./A.U. : 1644
Conf. No. : 8660
Docket No. : P03987US1

TRANSMITTAL LETTER

Assistant Commissioner for Patents
Washington, D.C. 20231

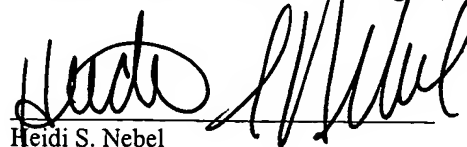
Dear Sir:

In response to the Notice to Comply With Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures dated April 30, 2002, enclosed please find the following documents:

- A. Notice to Comply With Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures:
1. A copy of the Notice to Comply With Requirements for Patent Applications; Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures;
 2. A paper copy the "Sequence Listing";
 3. Computer readable copy of the "Sequence Listing";
 4. Declaration that the content of the paper and computer readable copies are the same and include no new matter;

CERTIFICATE OF MAILING (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is being mailed via first class mail, in an envelope addressed to: United States Patent and Trademark Office, BOX SEQUENCES, P.O. Box 2327, Arlington, VA 22202, on this 14 day of June, 2002.


Heidi S. Nebel

B. Petition in Response to Omitted Item

1. A copy of the Notice to Comply With Requirements for Patent Applications;
Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures
2. Petition for submission of allegedly omitted page;
3. A copy of the postcard indicating receipt by PTO of 26 pages of specification;
4. A copy of the omitted item (page 7); and
5. A check for Petition fee (\$130.00).

If any additional fees are needed, please charge Deposit Account No. 26-0084.

Respectfully submitted,



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UNITED STATES PATENT AND TRADEMARK OFFICE

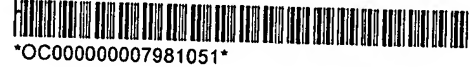
COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/055,259	10/26/2001	J. J. Holst	P03987US1

27141
MCKEE, VOORHEES & SEASE, P.L.C.
ATTN: BIONEBRASKA
801 GRAND AVENUE, SUITE 3200
DES MOINES, IA 50309-2721

CONFIRMATION NO. 8660

FORMALITIES LETTER



OC000000007981051

Date Mailed: 04/30/2002

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
DISCLOSURES**

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

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JUN 25 2002

OFFICE OF PETITIONS

The following item(s) appear to have been omitted from the application:

- Page(s) 7 of the specification (description and claims).

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit must be filed within **TWO MONTHS** of the

date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE